

The Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 AMAZON.COM, INC., a Delaware corporation;
11 AMAZON.COM SERVICES LLC, a Delaware
limited liability company; and 3M COMPANY,
a Delaware corporation,

Plaintiffs,

13 v.
14 INDIVIDUALS AND ENTITIES DOING
15 BUSINESS AS THE AMAZON SELLING
ACCOUNTS IDENTIFIED IN SCHEDULES 1,
2, and 3; and DOES 1-10.

Defendants.

No. 2:22-cv-01019-RSL-MLP

Consolidated Cases:
No. 2:22-cv-01020
No. 2:22-cv-01021

PLAINTIFFS' STATUS REPORT

18 Plaintiffs Amazon.com, Inc. and Amazon.com Services LLC (collectively, “Amazon”)
19 and 3M Company (“3M,” together with Amazon, “Plaintiffs”) submit this consolidated status
20 report in response to the Court’s December 27, 2022 Order (“Order”). This is a consolidated
21 matter consisting of the following cases: *Amazon.com, Inc., et al. v. Individuals and Entities*
22 *Doing Business as Certain Amazon Selling Accounts Identified in Schedule 2 and Does 1-10*,
23 Case No. 2:22-cv-01019 (W.D. Wash.) (the “Schedule 2 Action”); *Amazon.com, Inc., et al. v.*
24 *Individuals and Entities Doing Business as Certain Amazon Selling Accounts Identified in*
25 *Schedule 1 and Does 1-10*, Case No. 2:22-cv-01020 (W.D. Wash.) (the “Schedule 1 Action”);
26 and *Amazon.com, Inc., et al. v. Individuals and Entities Doing Business as Certain Amazon*

1 *Selling Accounts Identified in Schedule 3*, Case No. 2:22-cv-01021 (W.D. Wash.) (the “Schedule
 2 Action”) (collectively, “Consolidated Cases”).

3 On December 27, 2022, the Court issued an Order directing Plaintiffs to file a status
 4 report within ninety (90) days advising the Court of Plaintiffs’ efforts to identify, locate, and
 5 serve the individuals and entities responsible for the suspect selling accounts. Dkt. 11. Plaintiffs
 6 state as follows:

7 1. On March 1, 2023, Plaintiffs filed a Motion for Expedited Discovery (the
 8 “Motion”) seeking leave to serve third-party subpoenas to obtain information from certain
 9 payment service providers, banks, and email service providers linked to Defendants and their
 10 counterfeiting scheme. Dkt. 15. As Plaintiffs explained in the Motion, Plaintiffs engaged in
 11 extensive investigation into the sixty-one (61) selling accounts at issue in order to identify and
 12 locate the Defendants responsible for them. *Id.* at 5. While many Defendants provided Amazon
 13 with identification cards or drivers’ licenses that appeared valid on their face, Plaintiffs’
 14 investigation determined that these documents were forged. *Id.* Despite Plaintiffs’ diligent
 15 efforts, Defendants’ identities and locations remain unknown, and Plaintiffs believe that
 16 Defendants deliberately misled Amazon by registering their selling accounts using forged
 17 documents and falsified information. *Id.*

18 2. On March 14, 2023, the Court granted the Motion, providing Plaintiffs leave to
 19 serve subpoenas, prior to the Rule 26(f) conference, on Payoneer, Inc., Citigroup Inc., Wells
 20 Fargo Bank, N.A., Microsoft Corporation, Yahoo Inc., and Verizon Media. Dkt. 19. Plaintiffs are
 21 preparing to serve subpoenas upon the specified financial institutions and email service
 22 providers.

23 3. After Plaintiffs receive documents in response to the subpoenas, Plaintiffs
 24 anticipate filing an amended complaint naming the individuals and entities identified by the
 25 subpoena responses. Because Plaintiffs’ investigation has revealed the Defendants are located
 26 overseas, Plaintiffs anticipate filing a motion for alternative service, seeking leave to serve
 27

1 Defendants with the amended complaint via registered email through the email addresses
2 Defendants used to communicate and conduct business through their Amazon selling accounts.

3 4. Plaintiffs respectfully request 120 days to provide this Court with a further
4 consolidated status update, which Plaintiffs expect will allow them to serve the third-party
5 subpoenas, receive and complete review of third-party productions, amend the operative
6 complaint to name individuals or entities identified in such productions, and move for alternative
7 service.

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9 DATED this 27th day of March 2023.

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